

FILED
US DISTRICT COURT
DISTRICT OF ALASKA

2005 DEC -5 PM 4: 22



Mary C. Geddes
Assistant Federal Defender
FEDERAL PUBLIC DEFENDER
FOR THE DISTRICT OF ALASKA
550 West Seventh Avenue, Suite 1600
Anchorage, Alaska 99501
(907) 646-3400

Attorney for Petitioner

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff/Respondent.

vs.

CLYDE FOWLER,

Defendant/Petitioner,

Case No. A03-0102-2 CR (RRB)

**UNOPPOSED MOTION TO
EXTEND TIME FOR FILING
PETITION AND MOTION FOR
EVIDENTIARY HEARING**
On Shortened Time

Petitioner, Clyde Fowler, by and through counsel Mary C. Geddes, Assistant Federal Defender, has moved this court for relief pursuant to 28 U.S.C. § 2255. The Respondent is represented by Stephan Collins, Assistant United States Attorney.

This court has directed Mr. Fowler to allege material facts warranting an evidentiary hearing and to provide a memorandum of points and authorities explaining how prejudice would be established by particular inadequacies attributable to his trial counsel's failure to render constitutionally adequate counsel.

121

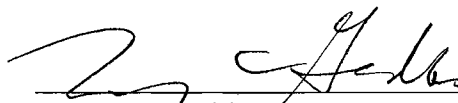
Counsel for the parties are again attempting to resolve this matter by agreement rather than litigation. Counsel for the government has agreed to provide the undersigned with the discovery relevant to resolving this claim, but the documents apparently will not be ready for dissemination to defense counsel until the end of this week.

Therefore, Mr. Fowler respectfully requests an additional two weeks for the filing of his response to this court's order. Mr. Collins, on behalf of the government, is in agreement with this request.

DATED this 5th day of December, 2005.

Respectfully submitted,

FEDERAL PUBLIC DEFENDER
FOR THE DISTRICT OF ALASKA

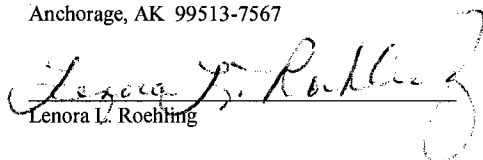


Mary C. Geddes
Assistant Federal Defender

Certification:

I certify that on December 5, 2005, I hand
delivered a copy of this document to:

Stephan A. Collins, Esq.
Assistant U.S. Attorney
Office of the U.S. Attorney
222 West 7th Avenue, No. 9, Room 253
Anchorage, AK 99513-7567



Lenora L. Roehling

Mary C. Geddes
Assistant Federal Defender
FEDERAL PUBLIC DEFENDER
FOR THE DISTRICT OF ALASKA
550 W. Seventh Avenue, Suite 1600
Anchorage, Alaska 99501
(907) 646-3400

Attorney for Petitioner

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff/Respondent.

vs.

CLYDE FOWLER,

Defendant/Petitioner,

Case No. A03-0102-2 CR (RRB)

AFFIDAVIT OF COUNSEL

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

Mary C. Geddes, being first duly sworn upon oath, deposes and states:


1. I am the attorney in the above-captioned case.

///

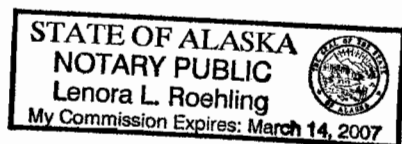
///

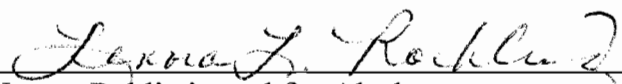
2. All the representations contained in the attached motion are true and correct to the best of my knowledge.

FURTHER YOUR AFFIANT SAYETH NAUGHT.


Mary C. Geddes

SUBSCRIBED and SWORN to before me this 5th day of December, 2005.




Notary Public in and for Alaska
My Commission Expires: 3/14/2007